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Fax

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|--------|--|--------|----------------|
| Date | 11-13-2005 | | |
| To: | Kim Watson Saunders, Legal Instruments Examiner Us Patent & Trademark Office | From: | B.W. Sandt |
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| Re: | SN 10/019570 | | |

Urgent For Review Please Comment Please Reply Please Recycle

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Message

Applicant: Jin Po Lee
Serial No: 10/019,570
Filed: 11/8/2001
For: Multiple Analyte Assay Device
Group Art Unit: 1743 Examiner: Lyle A. Alexander

Attached please find a copy of the action for non-compliant amendment received by applicant's representative together with the corrected amendment of the claims in conjunction with the RCE submitted by applicant 10/27/2006.


B.W. Sandt

Attorney for Applicant

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

Examiner

Applicant(s)

Art Unit

10. 019570

Jin Po Lee

Lyle Alexander

1743

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 10/27/06 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims) of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☒ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: claims 1-9 are missing
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): corrected

or further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment, an amendment filed after allowance, or a drawing submission (only). If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.

Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

- Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
- Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Jim Watson-Launders

Legal Instruments Examiner (LIE), if applicable

Patent and Trademark Office
-324 (04-06)

571.272.3616
Telephone No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

Part of Paper No.